

REMARKS

Summary of Office Action

Claims 1-28 and 30-32 are pending in this application.

Claim 30 was objected to because the term "housing" did not have proper antecedent basis.

Claims 1, 4, 6, 11, 13, 17, 18, and 22 were rejected under 35 U.S.C. § 102(b) as being anticipated by Watanabe et al. U.S. Patent No. 4,887,161 (hereinafter "Watanabe").

Claims 2, 3, 23, and 24 were rejected by the Examiner under 35 U.S.C. § 103(a) as being unpatentable over Watanabe in view of Rowland et al. U.S. Patent No. 5,801,970 (hereinafter, "Rowland").

Claim 5 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Watanabe in view of Eisele et al U.S. Patent No. 6,089,459 (hereinafter "Eisele").

Claim 7 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Watanabe in view of Eisele and further in view of Atkins et al U.S. Patent No. 5,623,280 (hereinafter "Atkins").

Claims 8-10, 12, 25, 27, and 28 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Watanabe in view

of Hornback International Publication No. PCT WO 99/56463 (hereinafter, "Hornback").

Claim 19 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Watanabe in view of Halpern U.S. Patent No. 6,173,897 (hereinafter "Halpern").

Claims 20 and 21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Watanabe in view of Halpern and further in view of Rowland.

Claims 14-16 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Watanabe.

Claims 30-32 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Watanabe in view of Ray et al. U.S. Patent No. 5,321,751.

#### Summary of Applicant's Amendments

Applicant has amended claim 30 in order to more particularly point out and distinctly claim the subject matter that applicant regards as the invention.

Applicant has amended claims 1, 11, 19-22, and 30 in order to expedite prosecution.

Applicant has added claims 33-38 in order to more particularly point out and distinctly claim the subject matter that applicant regards as the invention.

The Examiner's rejections are respectfully traversed.

Applicant's Response to the  
Objection of Claim 30

Claim 30 was objected to by the Examiner because the term "housing" did not have proper antecedent basis. Applicant has amended claim 30 such that all terms have correct antecedent basis. Accordingly, applicant respectfully requests that the Examiner's objection to claim 30 be withdrawn.

Applicant's Response to the  
Rejection Under 35 U.S.C. § 102(b)

Claims 1, 4, 6, 11, 13, 17, 18, and 22 were rejected under 35 U.S.C. § 102(b) as being anticipated by Watanabe.

Claim 1

Applicant's invention, as defined by amended claim 1, is a portable electronic pocket size photo album that is capable of displaying a digital image on a display with the capability of producing a sound through a speaker.

Watanabe is a memory card for a still camera that includes a display.

Applicant's invention, of amended claim 1, includes a photo album with a speaker for producing sound. Watanabe does not show or suggest a portable electronic pocket size photo album that is capable of displaying a digital image on a display with the capability of producing a sound through a speaker.

Accordingly, applicant respectfully submits that the Examiner's rejection of claim 1, and any claims dependent therefrom, under 35 U.S.C. 103(a) in view of Watanabe be withdrawn.

Claim 11

Applicant's invention, as defined by amended claim 11, is a portable electronic pocket size photo album that is capable of displaying a digital image on a display wherein at least one of these images is permanently stored on a memory.

Watanabe is a memory card for a still camera that includes a display.

Applicant's invention, of amended claim 1, includes a permanent image that is stored on the memory of a pocket-sized electronic photo album. "The applications for permanently stored images are wide-ranging and may include, for example, sports teams, sports highlights, a new line of

clothes offered by a particular retailer (in which case, the portable photo albums may be given away as part of an advertising campaign), or a series of photos depicting children's characters or nursery rhymes" (applicant's spec, page 4, lines 13-20).

Watanabe does not show or suggest a memory with a permanently stored image. Instead, Watanabe teaches away from permanently storing images since the images stored on Watanabe's memory card are images taken by the still camera that the memory card is configured to mate with and, accordingly, are designed to be erased by a user (See Watanabe, col. 5, lines 31-37).

Accordingly, applicant respectfully submits that the Examiner's rejection of claim 11, and any claims dependent therefrom, under 35 U.S.C. 103(a) in view of Watanabe be withdrawn.

#### Claim 22

Applicant's invention, as defined by independent claims 22, is a method of displaying images, and integrating sound with those images, on a pocket size portable electronic photo album.

Watanabe is a memory card for a still camera that includes a display.

Applicant's invention, of amended claim 1, includes the method of integrating sound with an image that is displayable on a pocket size electronic photo album. Watanabe does not show or suggest integrating sound with an image.

Accordingly, applicant respectfully submits that the Examiner's rejection of claim 22, and any claims dependent therefrom, under 35 U.S.C. 103(a) in view of Watanabe be withdrawn.

Applicant's Response to the  
Rejection Under 35 U.S.C. § 103(a)

Claim 19

Claim 19 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Watanabe in view of Halpern.

Applicant's invention, as defined by claim 19, includes a pocket-sized electronic photo album with a flexible display, memory, and processing circuitry.

Neither Watanabe or Halpern, used either alone or in combination, show or suggest a housing in which memory, a flexible display, and processing circuitry are located. For at least this reason, applicant respectfully requests that the

rejection of claim 19, and any claims dependent therefrom, be withdrawn.

Moreover, neither Watanabe and Atkins, used either individually or in combination, show or suggest a pocket-sized electronic photo album with a memory, flexible display, and processing circuitry. Watanabe discusses a memory card that is mechanically structured to mate with a still video camera. As such, images can be viewed while the memory card is mechanically mated with the camera. In this manner, the camera provides structural support to the memory card. AS such, Watanabe teaches away from using a flexible display screen. Atkins, on the other hand, only discusses the fabrication of a flexible display screen. Moreover, Atkins only discusses the fabrication of a flexible display. A reference that merely discusses a single structure does not lead to a motivation, in itself, to combine this reference with any particular system. For at least this reason, applicant respectfully submits that amended claim 19, and any claims dependent therefrom, is also patentable over all the prior art of record - including Watanabe and Atkins.

Claim 30-32

Claims 30-32 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Watanabe in view of Ray.

Applicant's invention, as defined by amended claim 30, includes a pocket-sized structure that includes a magnetic strip. A display is also located on the structure so that images can be displayed.

Watanabe discusses a memory card for a still camera that includes a display.

Ray discusses a credit card that stores image information of the credit card owner such that a complex credit card verification process can be carried out. This verification process includes transmitting the image information to a display that is remote from the credit card.

Neither Watanabe or Ray, used either alone or in combination, show or suggest a structure with a magnetic strip that includes credit card information and a display that is located on the structure. Accordingly, applicant respectfully requests that the rejection of independent claim 30, and any claims dependent therefrom, be withdrawn.

Claims 2, 3, 23, and 24

Claims 2, 3, 23, and 24 were rejected by the Examiner under 35 U.S.C. § 103(a) as being unpatentable over Watanabe in view of Rowland. As set forth above, claim claims 1 and 22 are allowable. Accordingly, claims 2, 3, 23, and 24 are allowable because claims 2, 3, 23, and 24 depend from one of allowable claims 1 and 23.

Claim 5

Claim 5 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Watanabe in view of Eisele. As set forth above, claim 1 is allowable. Accordingly, claim 5 is allowable because claim 5 depends from allowable claim 1.

Claim 7

Claim 7 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Watanabe in view of Eisele and further in view of Atkins. As set forth above, claim 1 is allowable. Accordingly, claim 7 is allowable because claim 7 depends from allowable claim 1.

Claims 8-10, 12, 25, 27, and 28

Claims 8-10, 12, 25, 27, and 28 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Watanabe in view of Hornback. As set forth above, claims 1, 11, and 22 are allowable. Accordingly, claims 8-10, 12, 25, 27, and 28 are allowable because claims 1, 11, and 22 depend from one of allowable claims 1, 11, and 22.

Claims 20 and 21

Claims 20 and 21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Watanabe in view of Halpern and further in view of Rowland. As set forth above, claim 19 is allowable. Accordingly, claims 20 and 21 are allowable because claims 20 and 21 depend from allowable claim 19.

Claim 14-16

Claims 14-16 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Watanabe. As shown above, claim 11 is allowable. Accordingly, claims 14-16 is allowable because claims 14-16 depends from allowable claim 11.

New Claims 33-38

None of the prior art, used either individually or in combination, shows or suggests the features of claim 33 of an electronic photo album in which a user does not have the ability to load additional digital images in a memory or the features of claim 36 of a pocket-size electronic photo album with a flexible display, memory, and processing circuitry. Accordingly, applicant respectfully submits that new claims 33-38 are patentable.

Conclusion

In light of the foregoing, applicant respectfully submits that this application, including each of claims 1-38, is in condition for allowance. Reconsideration and a favorable action are respectfully requested.

Respectfully submitted,



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